

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

D. G. SWEIGERT,
Plaintiff-Appellant,

v.

UNITED STATES OF AMERICA;

No. 00-1039

DEPARTMENT OF THE ARMY; JAMES H.
MCBRAYER; HARLAN GOTTLIEB;
DEPARTMENT OF LABOR; CAROL A.
GAUDIN,
Defendants-Appellees.

Appeal from the United States District Court
for the District of Maryland, at Baltimore.
Andre M. Davis, District Judge.
(CA-99-375-AMD)

Submitted: April 27, 2000

Decided: May 8, 2000

Before NIEMEYER and MOTZ, Circuit Judges,
and BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

D. G. Sweigert, Appellant Pro Se. Lynne Ann Battaglia, United States
Attorney, Nadira Clarke, Special Assistant United States Attorney,
Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION

PER CURIAM:

D. G. Sweigert appeals the district court's order granting summary judgment to Defendants in this civil action on the ground that the court lacked subject matter jurisdiction. We have reviewed the record, the district court's opinion, and the transcript of the December 21, 1999, hearing on the motion for summary judgment and find no reversible error.

Sweigert first claims on appeal that the district court erred in denying his motions for continuance and a stay of the proceedings. We find no abuse of discretion in the district court's rulings. See United States v. Myers, 66 F.3d 1364, 1369 (4th Cir. 1995) (stating standard of review). Sweigert also claims that the district court erred in denying his Bivens* claims and in ignoring his claims under 42 U.S.C. § 1985 (1994). Although the district court had jurisdiction over these claims, the denial of relief was proper because conclusory allegations of conspiracy are insufficient to establish a claim. See Simmons v. Poe, 47 F.3d 1370, 1376-77 (4th Cir. 1995); Buschi v. Kirven, 775 F.2d 1240, 1248 (4th Cir. 1985). Finally, Sweigert has waived review of his remaining claims by failing to raise them in his informal brief. See 4th Cir. R. 34(b).

Accordingly, we affirm substantially on the reasoning of the district court. See Sweigert v. United States, No. CA-99-375-AMD (D. Md. Dec. 22, 1999). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

*Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971).